



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/616,449 | 07/08/2003 | Robert T. Baum | 01-1518 | 1038 |

25537 7590 07/26/2007
VERIZON
PATENT MANAGEMENT GROUP
1515 N. COURTHOUSE ROAD
SUITE 500
ARLINGTON, VA 22201-2909

| |
|----------|
| EXAMINER |
|----------|

LIPMAN, JACOB

| | |
|----------|--------------|
| ART UNIT | PAPER NUMBER |
|----------|--------------|

2134

| | |
|-------------------|---------------|
| NOTIFICATION DATE | DELIVERY MODE |
|-------------------|---------------|

07/26/2007

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

patents@verizon.com

Office Action Summary

Application No.

10/616,449

Applicant(s)

BAUM, ROBERT T.

Examiner

Jacob Lipman

Art Unit

2134

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 May 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 and 32-37 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 and 32-37 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date <u>5/22/07</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Election/Restrictions

1. Applicant's election without traverse of claims 1-18 and 32-37 in the reply filed on 8 May 2007 is acknowledged.

Information Disclosure Statement

2. The examiner has considered the information disclosure statement (IDS) submitted on 22 May 2007.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-8 and 14-18 are rejected under 35 U.S.C. 102(e) as being anticipated by Fransdonk, USPub 2003/0161335 A1.

With regard to claims 1 and 15, Fransdonk discloses a security method for use in a communication system ([0372]), the security method including, receiving an IP packet including a source address and a destination address ([0375]), obtaining physical location information indicating the location of a user device which is the source of the IP packet ([0375]), and determining, as a function of the obtained physical location information, an action to be taken ([0379]).

Art Unit: 2134

With regard to claim 2, Fransdonk discloses comparing the obtained physical location information to information listing physical locations authorized to obtain access to a service for which security is to be provided ([0379]).

With regard to claims 3, 5, and 17, Fransdonk discloses only giving security to authorized locations ([0377]).

With regard to claims 4 and 18, Fransdonk discloses one content is video on demand ([0063]).

With regard to claims 6 and 16, Fransdonk discloses getting location information from a database ([0375]).

With regard to claims 7 and 8, Fransdonk discloses Quova as a possible source of geographical information. Quova relies on router information to determine location, as seen in USPN 6,684,250 (column 8 lines 14-31).

With regard to claim 14, Fransdonk discloses checking geographical restriction of requested content ([0376]).

5. Claim 1-8 and 14-18 and 32 are rejected under 35 U.S.C. 102(e) as being anticipated by Anderson et al., USPN 6,684,250.

With regard to claims 1 and 15, Anderson discloses a security method for use in a communication system (column 1 lines 33-40), the security method including, receiving an IP packet including a source address and a destination address (column 8 lines 14-31), obtaining physical location information indicating the location of a user device which is the source of the IP packet (column 8 lines 14-31), and determining, as

a function of the obtained physical location information, an action to be taken (column 1 lines 33-40).

With regard to claim 2, Anderson discloses comparing the obtained physical location information to information listing physical locations authorized to obtain access to a service for which security is to be provided (column 1 lines 33-40).

With regard to claims 3, 5, and 17, Anderson discloses only giving security to authorized locations (column 1 lines 37-41).

With regard to claims 4 and 18, Anderson discloses one content is video on demand (column 1 lined 20-22).

With regard to claims 6 and 16, Anderson discloses getting location information from a database (column 5 lines 44-50).

With regard to claims 7 and 8, Anderson discloses using router information to determine location (column 8 lines 14-31).

With regard to claim 32, Anderson discloses checking the geographical information against expected geographical information and reporting an error (column 1 lines 48-54).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 33-35 and 37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Anderson in view of Igval, USPub 2002/0165835 A1.

With regard to claims 33 and 34, Anderson discloses the method of claim 32, as outlined above, but does not mention notifying the police. The examiner takes official notice that it is well known to inform the police about possible credit card fraud. It would have been obvious for one of ordinary skill in the art to notify the police when detecting credit card fraud in Anderson and to give them all known information, for the motivation of enforcing justice.

With regard to claims 35 and 37, Anderson discloses conducting a fraud check (column 1 lines 48-54), but does not disclose a scheduled location-reporting message. Anderson does not disclose tracking the location or movement of a specific device, but is interested in the location of a message origin. Igval discloses using the system of Anderson (Quova, [0027] to determine if a device is in an expected location, and informing the authorities of its unexpected location ([0028]). It would have been obvious for one of ordinary skill in the art to use the Quova method disclosed by Anderson to protect the postage meter of Igval, for the stated motivation of Igval of locating the device ([0027]). Further, just as Igval wishes to insure postage meters are located in the proper area, it would have been obvious to apply this check by any device that has an expected area.

Allowable Subject Matter

Art Unit: 2134

8. Claims 9-13 and 36 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

9. The following is a statement of reasons for the indication of allowable subject matter:

With regard to claims 9-13, Fransdonk and Anderson disclose the method of claim 8, as outlined above. The prior art discloses a geographical authorization method that works regardless of a device ID. It would not have been obvious for one of ordinary skill in the art to retrieve a device ID from the geographical information and to check if the requesting device was stolen, since there is no stated motivation to do so. While Igval checks to see if devices are stolen, he receives the Device ID from the device, and not from the geographical information.

With regard to claim 36, while Igval uses the IP geographical information to track a device, there is no motivation to use this in a parolee bracelet. This would not be an obvious modification for one of ordinary skill in the art since the motivation of Igval is to track unauthorized movement of a machine, but not as a tracking device used to track something or someone.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jacob Lipman whose telephone number is 571-272-3837. The examiner can normally be reached on M-Fr.

Art Unit: 2134

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kambiz Zand can be reached on 571-272-3811. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JL


KAMBIZ ZAND
SUPERVISORY PATENT EXAMINER